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Belvedere Planning Study

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BELVEDERE PLANNING STUDY

A Report to the City of Belvedere

Livingston and Blayney, City and Regional Planners

San Francisco

October 1971

LIVINGSTON AND BLAYNEY
CITY AND REGIONAL PLANNERS

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October 15, 1971

Mayor Thomas S. Price
City of Belvedere
450 San Rafael Avenue
Belvedere, California 94920

Dear Mayor Price:

In accord with our June 7, 1971 agreement, we are pleased to transmit this report on the Belvedere Planning Study.

Compared with most cities, Belvedere has relatively few critical planning and development problems. However, the community's magnificent natural setting, the unique character of its buildings and landscape, and the special charm that has stemmed from its slow growth over time all demand that every effort be made to protect these precious assets. Belvedere's scale is so delicate and its beauty so fragile that even a single inharmonious development can cause serious damage. The principal purpose of this study was to determine the actions the City must take to ensure adequate protection of what may well be the most beautiful residential community in the nation's most beautiful metropolitan region.

We greatly appreciate the assistance we have received from the City Manager and from the special committee you appointed from the City Council and the Planning Commission to work with us in determing development policies. However, we must accept full responsibility for the findings, conclusions, and recommendations of this report.

Very truly yours,

LIVINGSTON AND BLAYNEY

By Lawrence Livingston

LL:np

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BACKGROUND

Unlike many suburban residential communities, Belvedere has aged gracefully since the Land Company commenced laying out streets and building sites in 1890. Subdivision of the golf course and construction of the Lagoon neighborhood after World War II brought the most rapid changes; but the high calibre of these developments made them essentially harmonious with old Belvedere. The more recent West Shore fill project did not quite match the standards that had been set earlier. In the past few years the beginnings of change gradually have become apparent in already developed areas. Given the pressures of Bay Region growth, the lack of comparably high quality communities, the scarcity of Belvedere building sites, and the resulting high property values, greater changes might have come earlier were it not for the restraint of land owners and the vigilance of the City.

Inharmonious development has resulted mainly from the fact that most remaining vacant lots are relatively small and/or steep. Because of high land prices, most recent lot purchasers are wealthy; and they tend to build large homes, some with garages accommodating three or more cars. Certain of the new residences are excessively bulky in relation to the size of their lots. High values and taxes also have caused owners of large properties to resubdivide them or to sell off existing legal lots. Inevitably the consequences of these trends have been blocking of views, loss of open space, and destruction of the "natural" landscape.

The narrow, curving streets of Belvedere Island and Corinthian Island are a community asset. Belvedere is one of the few suburban cities where the automobile has not been allowed to dominate man, where light traffic and slow speeds minimize noise pollution and make walking and cycling relatively safe. However, if development becomes more intense, traffic volumes and parking demand are bound to increase and the street system will become progressively less workable.

The Cove area between San Rafael Avenue and Main Street presents some special problems. All of the buildings on the water lots except the Cove apartments are about 50 years old. Some or all of them are likely to be demolished and replaced with denser development if it is permitted by the Bay Conservation and Development Commission and the City. The land side of Beach Road also is a prime apartment location, particularly where buildings face open water or are high enough to capture views over the roofs of those on the water side. Because the portion of Beach Road between San Rafael Avenue and Main Street is Belvedere's focal point and offers one of the few pedestrian promenades along the water, this area needs special protection and design treatment to preserve and enhance its assets.

Present zoning regulations are inadequate to prevent the kinds of growth and new development that would be inconsistent with the community's present quality. It will be necessary to make major changes in the zoning regulations to ensure adequate protection.

For all these reasons, in May 1971 the City decided that a planning study would be timely. The scope of the consultants' assignment included the following subjects.

Studies

- General physical configuration of the community.
- Existing land use.
- Existing open land and properties likely to be subdivided.
- Present zoning, subdivision, and building regulations.
- Present density, bulk, setback, and parking regulations.
- Need for view protection and open space.
- Treatment of private streets and underwater lots as contributors to density and coverage.
- Means of providing housing opportunities.
- Possible future use of Belvedere School site.

Recommendations

- Policies concerning population growth and densities.
- Policies concerning protection and enhancement of the City's environment.
- Criteria for planning and design of the multiple dwelling area on Belvedere Cove.
- New and revised regulations to improve land use and building practices.
- Design review procedure to improve environmental quality and to make ordinances governing development more effective.
- Improved format and administrative procedures for zoning, subdivision, and building regulations.

Periodically during the course of the study the consultants met with the special study committee of Councilmen and Planning Commissioners. At the first meeting a list of specific planning issues was submitted by the consultants, and the committee members later submitted written responses by mail. At subsequent meetings the consultants presented written reports on findings and recommendations, illustrated by maps and plans. Questions raised by Committee members were given study and answered in the report presented at the next session. At its August meeting the Committee responded to the consultants' policy recommendations with sufficient definiteness to permit preparation of a report reflecting the members' views. However, the specific proposals of the report are the consultants'.

GROWTH POLICY

Significant population growth will destroy the special character and charm of Belvedere. In addition to the adverse effects of congestion that growth causes in most communities, additional traffic poses a particular threat on Belvedere Island and Corinthian Island where there now are about 50 vacant lots, 50 substandard lots that can be legally split-off from developed properties, and 40 lots large enough to be resubdivided into standard sized lots. In areas zoned single family, a total increase of 17 per cent (from 820 residential units to 960) is possible. Most properties zoned for multi-family use already have been developed, mainly within the past 20 years. But because there are no density regulations (lot area per dwelling unit requirements), it is at least theoretically possible to increase the present number of multiple units by 140 per cent (from 138 to 330). Total possible City-wide housing unit increase is 35 per cent (from 958 to 1,290).

Although it may be unrealistic to anticipate this magnitude of growth in the multi-family zones, significant increases are likely to occur where older buildings are replaced - a real possibility because of uniquely desirable locations and correspondingly high assessments, particularly on the Cove. The projected growth figure in single family zones is highly likely, and it would be exceeded if large old residences occupying more than one legal lot were removed.

density is sq ft per unit ground

Because of the inevitable adverse effects of significant growth on the City, we recommend a policy of discouraging growth. Such a policy can be implemented by two zoning devices: denying the privilege of building on substandard lots that are part of presently developed parcels, and instituting density regulations in multi-family zones. The former type of regulation is both legal and equitable, although it is likely to be resisted by owners who are financially hard pressed and those who regard these now legal lots as "nest eggs". Many California zoning ordinances prohibit sale or development of a substandard lot in the same ownership as the adjoining lot or lots. Such regulations never have been successfully contested in a California court case. Under the proposed amendment, individual lots of substandard size would be permitted to be sold or developed if the owner held no adjoining property. The result of the regulation would be to reduce growth potential in single family residential zones by more than one third.

RESIDENTIAL DENSITIES

Densities can be governed by lot size regulations in single family zones, and by lot area per dwelling unit requirements in multiple dwelling zones. The present 15,000 square foot and 7,500 square foot minimum requirements in the R-15 and R-1 zones, respectively, are appropriate to preserve the present character of

Belvedere. As indicated under Growth Policy, the lack of density regulations in the multiple dwelling zones could, theoretically at least, result in major changes. The figures used in calculating the possible 140 per cent increase in multi-family units are not merely theoretical, but are practical of being achieved with present setback, coverage, and parking requirements and present typical unit sizes (floor area).

Typical present densities are 3,800-4,900 square feet of lot area per unit in areas developed with duplexes. Apartment densities range from about 1,300 square feet per unit in the Land Company's office building including the additions, through 2,000 square feet per unit in the buildings on San Rafael Avenue at Beach Road and on the north side of Beach, to densities as low as 3,000 and 4,000 square feet per unit on the water side of Beach Road. (The latter figures are not very meaningful, however, because the existing units are a mixture of apartments, duplexes, and single family residences.)

Population densities are a function of unit size, as well as land area, because larger units typically house more people. Consequently we recommend that density regulations be graduated according to unit size (number of bedrooms). In duplex areas we recommend minimum lot area requirements of 3,000 square feet per unit with 2 bedrooms or less and 4,000 square feet per unit with 3 bedrooms or more. In apartment areas we recommend requirements of 2,000 square feet per unit with 1 bedroom, 2,500 square feet per unit with 2 bedrooms, and 3,000 square feet per unit with three bedrooms or more. It would, of course, be necessary to revise present zoning district classifications to distinguish between duplex and apartment areas. (See Zoning Ordinance Revisions.)

In order to treat properties on public streets and private streets alike, private roads (like Crest Road) and service drives (like Teal Road) should be excluded in measuring lot area and calculating density, contrary to the present rule. To discourage apparent overcrowding of water lots, we considered recommending that only half of the water area be counted. However, we abandoned this idea as excessively restrictive and as tending to encourage fill instead of preserving open water.

HOUSING OPPORTUNITIES

As Belvedere property values and taxes progressively rise, it becomes increasingly difficult for moderate income families, particularly retired persons, to continue living in the community. For some the answer may be to sell their residence and move to an apartment or duplex, but for most the rents are too high and moving to Tiburon or exile from the Peninsula are the only alternatives.

We searched for possible sites for moderate income housing in Belvedere. The only vacant lots that seem at all likely are the ones adjoining the Christian Science Church, but the Land Company plans to build apartments there soon. Present R-3 zoning probably would make the site too expensive even if it were available. If the Reed School District were to abandon the Belvedere School site, all or part of it would be appropriate for moderate income apartments. Even if the land were sold at full market value, with present R-15 zoning the price might be low enough to help make a project feasible. The City could in effect contribute a subsidy by rezoning the property for apartments subsequent to the sale to a non-profit sponsor. If there were assurance that occupancy would be limited to the elderly, it also would be appropriate to reduce density requirements and parking requirements, thus cutting land cost per unit to a level that would help to ensure financial feasibility of the development.

Properties occupied by old houses on Laurel Avenue adjoining the School also might be used for moderate income housing, possibly in conjunction with a development on the School site. However, it would be unwise to rezone these properties for apartments in advance of a specific proposal by a sponsor because the rezoning would cause the land price to increase, thus reducing the potential feasibility of a moderate income housing development.

OPEN SPACE AND VIEW PROJECTION

The open water surrounding Belvedere is protected from development by a combination of public ownerships, Audubon Society and yacht club ownerships, R (Recreation) zoning, and Bay Conservation and Development Commission jurisdiction. BCDC's Bay Plan and regulations impose such stringent limitations that it is unlikely that development would be permitted on the few privately held open water lots: 1.6 acres off Corinthian Island owned by Western Title Insurance Company, 20 acres west of Middle Canal owned by Jennings, and 2.3 acres off the West Shore and 0.55 acres at Beach Road and Main Street owned by Belvedere Land Company. The first two parcels are zoned R and legally can be used only for public or private recreation facilities. The other two parcels now are zoned R-1 and R-2 respectively. They should be rezoned R to provide added insurance against development. A 0.31 acre portion of the Land Company's lot on Beach Road opposite Peninsula Road also is open water and should be rezoned from R-2 to R.

Most Belvedere duplexes and apartments built in the last 20 years have useable outdoor open space such as patios, courts, decks, or balconies. (Driveways, parking areas, access walks, drying and storage yards, and required set-backs are not included in this category.) Most modern zoning ordinances require minimum useable open space for each housing unit on the basis that outdoor living space is as essential to a dwelling as light, air, safety, sanitation, or privacy.

We recommend that the City require useable open space in multiple dwelling zones, permitting the space to be provided either in common or individually for each unit. Because individual private open spaces are more readily accessible and useable, the required standards for this kind of space should be less stringent than for common or group open space.

Specifically we recommend that for each duplex unit 300 square feet of private useable open space be required, and for each apartment unit 200 square feet be required. Common outdoor space should be permitted to be substituted for private open space at a ratio of 3 square feet of common space to 2 square feet of private space. Minimum dimensions should be set for private space at ground level (patios, courts) and above ground level (balconies, decks). We suggest 150 square feet with a minimum dimension of 10 feet at ground level (or within 4 feet thereof), and 50 square feet with a minimum dimension of 5 feet above ground level. For common open space, we recommend a minimum area of 300 square feet with no dimension less than 15 feet. Suitable landscaping and adequate maintenance of common open space should be required.

Present coverage and setback regulations are extremely permissive in all zoning districts except C-1. Fifty per cent coverage is allowed, but since garages, carports, covered walks, arbors, garden shelters, and decks are not counted, actual coverage of the ground with structures may greatly exceed this figure. In the Bay Region, only the San Francisco zoning ordinance permits such high coverage. Most suburban communities set maximum coverage at 30 per cent in single family zones and 35 or 40 per cent in multi-family zones. On the Lagoon and on West Shore, Cove, and other bayfront properties coverage as high as 50 per cent (total) may be justified because of adjoining open water, but elsewhere in Belvedere the standard would be excessive even if garages, covered walks, shelters, etc. were included in measuring coverage.

Probably the most extreme instance of excessive coverage is the apartments on the north side of Beach Road between Peninsula and Cove. However, high coverage also is becoming a problem on single family lots. Because of their extremely high cost, they typically are sold to families who desire and can afford large homes which sometimes tend to overcrowd the lots. The problem is most severe, of course, on legal lots of substandard size, but it can occur even on lots of 15,000 square feet and over. An example of the former situation is a new house on Bayview Ave., and an example of the latter is a new house on Crest Road. This kind of problem is sure to recur more frequently as land values rise, if coverage regulations are not tightened.

We recommend that the definition of coverage be amended to include all enclosed or covered structures (garages, carports, shelters, covered walks, etc.). In multiple dwelling zones (present R-2 and R-3) on lots adjacent to open water (Lagoon or Cove) maximum coverage should be limited to 50 per cent, and on lots not adjacent

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to open water coverage should not exeed 40 per cent. In the R-1 zone we recommend a coverage limit of 40 per cent, and in the R-15 zone we recommend a maximum of 30 per cent. Uncovered decks usually are built to create useable open space on sloping lots, but they also can result in removal of trees and natural groundcover and tend to make landscaping difficult or impossible. Consequently we suggest a regulation prescribing that total coverage including decks shall not exceed 50 per cent in the R-1 and R-15 zones and 60 per cent in multiple dwelling zones. However, any portion of a deck functioning as a garage apron should not be counted, and any deck located 4 feet or less above the average ground level beneath the deck should not be counted as coverage. Where the elevation of a deck is 15 feet or more above the average ground elevation beneath it, only half the deck area should be counted, so as to give credit for the light and air that penetrates beneath such a high deck.

By suburban standards, the present uniform 5 foot setback requirement is extremely permissive, but it makes a certain amount of sense in Belvedere, particularly on steep lots where access to garages would be difficult (because of steep driveways) if they were required to be set back from the street. Further, where there are no back-to-back lots, as on the Lagoon and West Shore, the typical 25 foot rear yard requirement is unnecessary. Architects enjoy the present regulations because of the design flexibility they offer, and the resulting lack of uniform siting is aesthetically pleasing on Island lots. However, minimum front setbacks are visually disturbing where two and three story buildings appear to loom high over streets.

Except for fences, in the R-15 district we recommend a 10 foot front setback requirement for a building 15 feet or less in height and a 15 foot seback for a building more than 15 feet in height, taking into account only that portion of the building within 40 feet of the front property line. In the R-1 and duplex and apartment districts we recommend a 5 foot front setback for a building 15 feet or less in height, a 10 foot setback for a building 16-25 feet in height, and a 15 foot setback for a building more than 25 feet in height, counting only building height within 40 feet of the front property line. The minimum front setback for a garage or carport should be the same as for other buildings, or 20 feet from the curb or improved street line on the opposite side of the street, whichever is greater. This rule will ensure adequate room for all but the largest cars to turn in and back out. Where the average lot slope within 40 feet of the front property line exceeds 20 per cent, only a 5 foot setback for a garage or carport should be required, provided that a distance of at least 20 feet is maintained between the front line of the garage or carport and the curb or improved street line on the opposite side of the street.

In the R-1 zone, we suggest that the present 5 foot side yard requirement be retained because typically there is insufficient room for a greater setback. In the R-15 zone, we recommend a 10 foot or 10 per cent of lot width side yard

requirement, whichever is less. In the present R-2 and R-3 zones, side yards should be 5 feet for buildings 15 feet or less in height, 10 feet for buildings 16-25 feet in height, and 15 feet for buildings more than 25 feet in height. In all zones we recommend that the required rear yard be 10 feet where the rear property line abuts water or a street and 20 feet where the rear line abuts another lot. Eaves, balconies, decks, porches and other architectural features should not be permitted to intrude into any required setback or yard space because they cut out light and air. To save large trees, consideration was given to making special exceptions to side setback requirements for garages and carports because they make minimum intrusions on privacy. However, it was decided that such exceptions generally are not justifiable, and they can be granted by variance in special cases.

Present minimum distances between buildings on the same site (10 feet between main buildings and 5 feet between a main building and an accessory building) are acceptable for one story buildings, but the requirements should be increased by 5 feet for each additional story in each building. For example, the minimum distance between a one story and a two story main building would be 15 feet, but between a two story main building and a one story accessory building the requirement would be 10 feet. The minimum distance between 2 two story main buildings would be 20 feet, and between a two story main building and a three story main building the requirement would be 25 feet. Between a three story main building and a two story accessory building the minimum distance would be 20 feet.

The present height limits (2 stories/32 feet and 3 stories/42 feet) have resulted in some excessively bulky detached residences and apartment houses. It is recommended that the maximum height be reduced to 2 stories and 28 feet in the R-15, R-1, and duplex districts and in the apartment district on the south (water) side of Beach Road. In the apartment districts on the north side of Beach Road and between San Rafael Avenue and Acacia (present R-3), the maximum should be 3 stories and 36 feet. In the latter case three story buildings would extend only one story above street grade on Acacia. Building height should be measured as at present (the average of the vertical distances from the ground level at the center of each wall of a building to the top of the roof). Where buildings are on piles, height should be measured from street grade at the front property line.

In single family residential districts, exceptions to height limits are justified on steep down-hill lots to utilize otherwise wasted space under buildings; but excessive heights should be avoided and architects should be encouraged to design buildings that step down the hillside in a series of levels, each of limited height. To achieve these purposes, on a downhill lot with an average slope of 30 per cent or more one additional story (a total of 3) should be permitted at the rear, provided that no part of the building exceeds 36 feet in height above ground level at any point; and where a building is stepped-down, 3 stories should be permitted in each portion of the building provided that the height of each portion does not exceed 36 feet at any point.

Conformity with the density, useable open space, coverage, setbacks, distances between buildings, and height regulations recommended above will eliminate the possibility of excessively bulky buildings.

Because of the narrow streets and relatively sparse and slow-moving traffic, most of Belvedere offers delightful - and safe - opportunities for walking and cycling. One of the prime attractions to the pedestrian and cyclist is the magnificent views of the Bay, San Francisco, and the mountains. However, as fewer and fewer vacant lots remain and as large properties are divided, many favorite views are becoming blocked by fences and buildings and more will be in the future. It would be appropriate for the City to acquire small sites where spectacular views still are available from public streets and walks, particularly where the vista can be preserved without limiting the development potential of the lot or unduly intruding on privacy. In some cases easements for view corridors across lots would be more useful than title to land.

Where an outstanding view otherwise would be lost, it would be possible for the City to require dedication of a view site or granting of a view easement as a condition of permitting a subdivision (or lot split) or of granting a building permit, provided that the requirement would not impose an unreasonable hardship on the owner. It might be necessary in some cases to grant exceptions to other regulations (minimum site area, coverage, setbacks, etc.) as part of the exchange. Gifts of view points would be appropriate memorials to past Belvedere residents. The City particularly should seek gifts of title, development rights, or view easements from private owners of open water lots on the Cove.

Trees should not unnecessarily be removed or excessively pruned if Belvedere is to retain its "natural" beauty (i.e. most of the trees are not natives). We recommend creation of a Tree Committee of five members, at least three of whom should be qualified by occupation (landscape architects, botanists, tree surgeons, landscape contractors, etc.) to make judgments on tree issues. No trees should be removed from public rights of way without permission of the Committee. It also should be authorized to make recommendations on replacements. As part of the design review procedure (see Design Factors), the Design Review Board should refer to the Tree Committee questions on removal of trees on private properties which the Board deems to be aesthetic assets by reason of species, size, texture, color, or form. As a practical matter, it is virtually impossible for the City to control private tree cutting which is not incidental to a building project.

We have been advised that trees growing so they block views is a frequent source of complaints to the City as well as generating neighborhood feuds. We do not believe that this issue is of great importance. However, if the City does want to help solve

the problem, we believe that the Tiburon ordinance offers an example worth copying. (It has been said that "Tiburon has the ordinance; Belvedere has the trees.") The ordinance creates a Tree Committee with authority to mediate between the parties. If mediation fails, the Committee is authorized to settle the dispute subject to appeal to the City Council. The party initiating the action must agree to pay the costs, except that the owner of the land on which the trees are located may be required to pay up to half the cost of tree removal or pruning. We understand that the Tiburon ordinance has never been used since its adoption over a year ago, but that it has generated pressure on private parties to settle their disputes without recourse to the City.

The Parks and Recreation Long Range Development Plan prepared by Berridge, Becker and Julin in 1970 proposes development of a system of open spaces adequate to meet the City's current and future needs, provided that population growth is minimized. The Plan contains development proposals and designs for the Main Park-Community Center complex, Cove Beach, and Lagoon Road Park. It also recommends landscape treatment of San Rafael Avenue and Beach Road, and a bayside walk on San Rafael which has first priority for construction.

COVE AREA CRITERIA

The most critical portion of the Cove area is, of course, the water lots because they are most prominent in views from higher elevations and because the public's visual access to the water depends on their development pattern. Jurisdiction over the water lots (and land area within 100 feet inboard) is vested in the Bay Conservation and Development Commission. Consequently we addressed the following four questions to the BCDC staff.

1. Can portions of the water lots now vacant be developed with housing (apartments)? The response was an unqualified "no".

2. If existing houses or apartments are removed, can they be replaced by new apartments? If so, are there any limitations? The response was positive, subject to the qualification that the new construction does not involve any extensive rebuilding of existing pilings.

3. If existing houses or apartments are destroyed by fire or earthquake, can they be replaced by new apartments? If so, are there any limitations? The response was a tentative "yes", possibly subject to the qualification that the new buildings be essentially the same as those destroyed.

4. If existing houses or apartments are removed or accidentally destroyed, can they be replaced with houseboats? If so, are there any limitations? The response was that the Commission could approve houseboats subject to their meeting conditions prescribed by the Bay Plan.

While we agree that existing open water should not be filled and that new development should not cover more of the Bay than the structures it replaces, we do not believe that the present development pattern necessarily is the most desirable one and that the public interest would best be served by reproducing it. Further, it is possible that in the future the Commission will permit new development in a different pattern if it does not intrude on open water. Consequently, we recommend a series of regulations that would ensure an optimum development pattern on the Cove water lots if present buildings were to be replaced and if BCDC were to permit variations from the present pattern.

- The Land Company's lot at Beach Road and Main Street and the 130 foot wide portion of the lot on Beach opposite Peninsula Road shall remain in open water. (If the Land Company were to deed these properties to the City, it would no longer have to pay taxes on them.)

- Buildings, except for docks, shall not extend more than 100 feet from the front property line (Beach Road). At present the building that extends farthest is the westerly Cove apartment building (83 feet). Yacht Club - 100 ft -

- Buildings shall not exceed 75 feet in depth. However, it would be possible to build as far into the Cove as 100 feet if the front 25 feet were clear of structures except uncovered access walks. At present the apartment building which was the former motorboat clubhouse has the greatest depth (65 feet). Yacht Club 85 ft -

- Buildings shall not exceed 100 feet in width. Our design studies demonstrated that the scale of the Cove area is so delicate that any building over 100 feet wide appears gross. The largest Ark apartments building is 160 feet wide. The old hotel cottages next to the Yacht Club, interconnected, have a total width of 165 feet. The clubhouse is 115 feet wide.

- In order to maintain adequate view corridors between buildings, the space between them shall be not less than 50 per cent of the average depth from the front property lines to the rear lines of the buildings on either side or 30 feet, whichever is greater. In other words, if each building were to extend to the permitted maximum of 100 feet, the required space between them would be 50 feet. If one extended 60 feet and one 50 feet from the front property line, the required view corridor would be 30 feet (not 27.5). At present the narrowest space between buildings is 5 feet between the two single family residences at the end of Peninsula Road. The duplexes east of the hotel cottages are 12 feet apart, and the Cove apartments are 15 feet apart.

- Maximum building height shall be two stories and 28 feet measured from street grade at the front property line. We considered a one story height limit as a trade-off for three stories across Beach Road, but we abandoned this idea as impractical because there is only one vacant lot on the land side of the street.

- Parking is prohibited on water lots but is required (at 2 spaces per single family residence and 1.25 spaces per apartment unit) to be provided within 300 feet of the property served.

Present regulations would permit the Cove water lots to be resubdivided into 6,000 square foot parcels 60 feet wide, and require that one-third of the width of each parcel be kept open (except for structures no more than 42 inches high). This ensures open spaces adding up to a width of at least 20 feet on a minimum size lot, but not necessarily all in one place. It appears that the only workable way to distribute the burden of providing view corridors equitably would be to require that as a condition of resubdivision, the tentative map must show a building envelope on each parcel conforming with all of the prescribed standards. For adjoining undeveloped lots, adjoining side yards could contribute to the required view corridor with the total width being determined in the same manner as for two buildings on a single lot (50 per cent of the average depth from the front property line to the rear lines of the buildings on either side, or 30 feet, whichever is greater). The share required for each building could easily be determined on the basis of depth. For a new lot adjoining a lot on which a building already is located, the required corridor width would be determined in the same manner; but if the existing side yard on the developed lot were less than its share of the width of the corridor based on depth, the balance would have to be provided on the new lot.

Application of all of the recommended standards to the present water lots would ensure that at least 50 per cent of the area is retained as open water. In the event of resubdivision, the regulations also should prescribe that 50 per cent of each lot must be retained as open water.

On the land side of Beach Road the standards recommended for other apartment districts, including the 3 stories/36 feet height limit, should apply.

The vacant lot at Beach and Peninsula Road is likely to be used for a parking structure to serve new units on the water side. (For obvious reasons, an open parking lot should not be permitted.) The structure should be of a design and scale that will harmonize with surrounding apartment buildings. Uncovered rooftop parking should not be permitted and roof design must be handled with sensitivity, because so many homes will overlook the parking structure. Indeed it might be desirable to have a level or two of apartments over the parking levels if the resulting structure were to be more harmonious than a garage, and provided that sufficient parking were available to serve both these apartments and the ones across Beach Road.

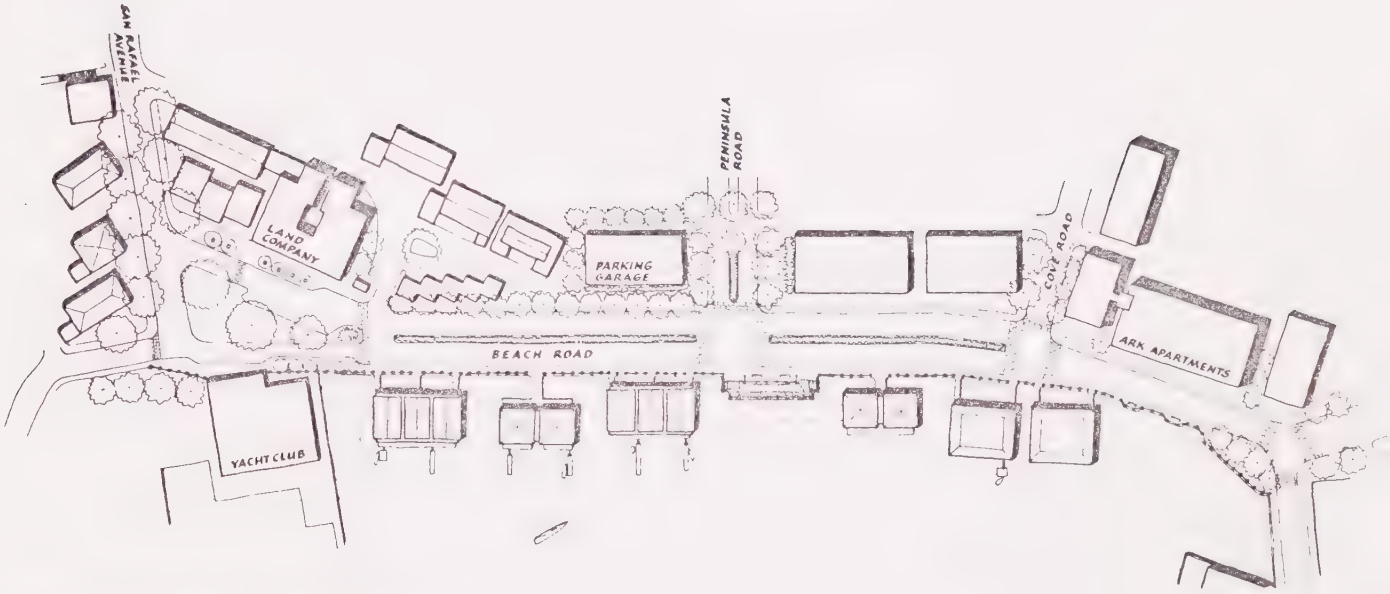
To keep the parking structure in scale with its surroundings and to encourage building parking levels below grade (despite marshy soil conditions), the height of the structure should be limited to 15 feet (measured in the same manner as other building heights except that the ceiling height of the upper parking level, instead of the roof height, should be controlling). Total building height (including parking and apartment levels) would be governed by the district rule - 3 stories and 36 feet maximum. To maximize the space available for parking, consistent with the other objectives, there should be no coverage limit for the parking levels; but 10 foot front, side, and rear setbacks should be required for screen planting. However, the apartment levels should be subject to the reqular district rules governing coverage and setbacks.

Beach Road is proposed to remain substantially as it is at present. After considering alternatives, we recommend that the landscaped island at Beach and San Rafael Avenue remain unchanged. It is good to look at, and it channels traffic reasonably well. Modifying the island would not significantly open views to the water. We propose that the present sidewalk design be modified to create a drop-off bay in front of the San Francisco Yacht Clubhouse entrance and (by narrowing the roadway) to prevent vehicles from stopping to unload at the east gate. Unloading at this point by people who berth their boats at the most northerly pier now creates congestion. They should be required to unload in the parking lot.

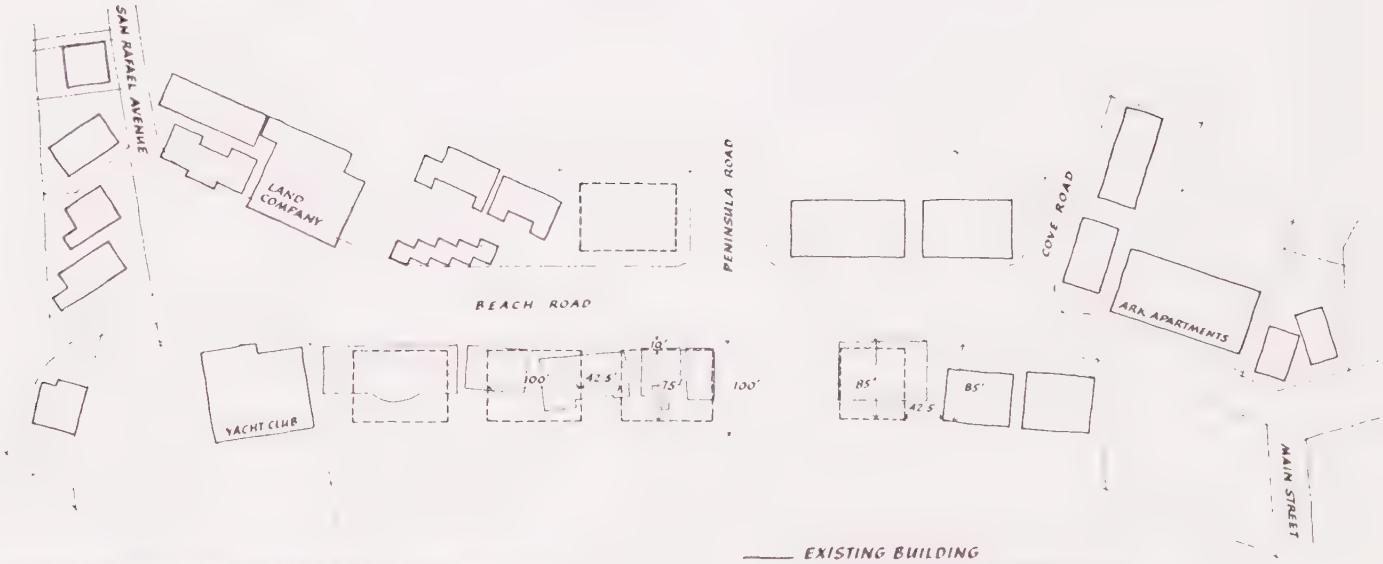
The existing median strip should be relandscaped with higher shrubs, possibly using flowering varieties. On the water side of the south sidewalk we recomment replacement of the wall with concrete bollards connected by chains, giving a nautical atmosphere to the scene. Where there is unobstructed access to the water east of Peninsula Road, between Cove Road and Main Street, and at Beach Road and Main, view points with benches should be located. We suggest installation of ornamental paving to emphasize crosswalks instead of striping them with paint. New street trees should be planted at either side of the Yacht Club entrance, at the Beach-Main view point, on the land side of Beach Road where they will not block views, and on Peninsula and Cove Roads approaching Beach.

The Yacht Clubhouse reportedly was designed to take another story. A maximum of two (and 28 feet) should be permitted. Access to the building and grounds should be modified as proposed above. Despite pressure from members, no additional parking should be permitted on the Club's property. (For example, a parking structure has been informally proposed.) Additional parking would increase present weekend and holiday traffic at Beach and San Rafael, which already is excessive. On-street parking can be controlled by imposing time limits where necessary. Almost inevitably new parking spaces would lead to proposals for increased membership and more berths. The Cove already has reached its capacity if its predominant open water character is not to be lost. It can fairly be said that the northerlymost Yacht Club pier was one too many.

Belvedere Cove Area



Illustrative Site Plan



Maximum Building Coverage

—— EXISTING BUILDING
- - - - MAXIMUM PERMITTED COVERAGE
PROPERTY LINE

The Illustrative Site Plan shows the scale and character of development that could result if existing older buildings were permitted to be replaced subject to the rules recommended above. The plan does not represent maximum development possible under the regulations. However, we also have illustrated maximum permitted coverage, contrasting it with existing buildings to show the scale. The drawing indicates maximum coverage with the fewest, largest buildings; but variations with more, smaller buildings would be possible.

DESIGN FACTORS

Currently, there is a design review procedure for new construction in the C-1, R-2, and R-3 zones, but it is limited to the Planning Commission's reviewing an exterior sketch, a building materials list, and provisions for off-street parking. If Belvedere's beauty is to be preserved, we believe the time has come to review plans for all new construction in single family, multiple dwelling, and commercial zones alike. Even the new regulations we have recommended will not provide insurance against poor site planning and eccentric or tasteless building design. In recent years Belvedere has seen examples of both kinds of abuses. Even a single poorly used lot or architectural eyesore can have widespread impact in a community as small and delicate as this one. Design review can prevent hazardously located drives and parking, excessive or misplaced coverage and bulk, unnecessary blocking of views and intrusion on privacy of neighboring properties, unnecessary removal of trees and other vegetation, and exhibitionist architectural design.

We recommend that a new design review procedure, applicable City-wide, be instituted, requiring that the following items be submitted for review and approval by a five member Design Review Board consisting of two members of the Planning Commission and three other members who must be qualified professionals in the fields of architecture, landscape architecture, urban planning, or structural engineering.

- Grading plan including proposed tree and shrub removal.
- Detailed site plan including parking and access, buildings, fences, walls, and other structures.
- Preliminary building plans and elevations.
- Samples of building materials and colors.
- Preliminary landscape plans.

The Board's decisions should be subject to appeal to the City Council. The Board should be authorized to set its own procedural rules. The volume of construction that can be anticipated in coming years will be small enough that the comprehensive design review requirement will not be burdensome to City officials. Only the highest quality design should be permitted in Belvedere. New buildings should harmonize with the landscape and with their neighbors, and should not be permitted to shout, "Look at me!"

Belvedere now possesses about a dozen buildings of sufficient interest to architectural historians that they are described in the Junior League of San Francisco's Here Today, a recent study of the architectural heritage of San Francisco, the Peninsula, and Marin. Belvedere would lose a significant part of its charm if these old residences were to be removed. At least one of them, the Blanding house at 440 Golden Gate Avenue, is a major landmark. In recent years the City of San Francisco has instituted a procedure under which buildings are declared historic landmarks and cannot be demolished for a period of one year after application to do so is filed. The waiting period is intended to give the public or interested groups an opportunity to save the endangered building by purchase. Although they have great charm and architectural interest, in our opinion none of the old Belvedere buildings, except possibly the Blanding house, is of sufficient importance to the community to warrant a preservation procedure. However, if the City wishes to institute one, the San Francisco ordinance provides a good model.

TRAFFIC AND PARKING

The portion of Belvedere's street system that was not designed for the automobile is among the community's greatest assets. The standard suburban width streets in the post-war subdivisions are far less attractive, albeit more suitable for today's needs. In the foreseeable future the present excessively space-consuming automobile may gradually become obsolete, and the Islands' streets once again may become "functional." In a sense they are functional today in that, unlike the typical contemporary subdivision pattern on steep land, the flattest areas generally have been preserved for building and the remnants left for streets. (Recent Tiburon development illustrates the ravaging effects of the current approach.) Except to eliminate significant safety hazards, any move to widen or otherwise "improve" Belvedere's substandard streets should be resisted. However, if the circulation system is to continue to work satisfactorily, growth also must be minimized and casual sightseeing traffic discouraged.

Present parking requirements (2 spaces per single family residence or duplex unit, 1.25 spaces per apartment unit) appear to be adequate. Although overnight parking

on-street may be undesirable, the alternative of devoting large portions of lot areas to parking generally would be worse. Except where they serve a non-residential use, required parking spaces should manditorily be located in a garage or carport. (There is no such requirement at present.)

We studied whether parking requirements for apartments should be changed to have different requirements for different size apartments, and reached a negative conclusion. Not enough is known about apartment occupancy in Belvedere (family size and age, automobile ownership, driving habits, etc.) to arrive at a reliable conclusion. Frequently in high income cities like Belvedere large apartments containing two or more bedrooms are occupied by only two persons. A graduated system calling for parking spaces related to the number of bedrooms could result in an oversupply of parking. As a part of the design review procedure, additional parking can be required if it appears to be needed in a specific instance.

In recent years the bicycle has regained popularity as a transportation mode. With the bike path on the railroad right of way paralleling Tiburon Boulevard now open, Belvedere has gained an excellent bicycle connection with the rest of the county. A loop route through the City on San Rafael Avenue and Beach Road might be considered, but it would be necessary to ban parking, at least on one side of the street, to gain the width needed for a designated bike path. Another possibility would be to lower the speed limit to make these streets relatively safe for bicycles mixing with automobile traffic. Parking for Hill area residents

CITY LIMITS

Some of the city limits lines between Belvedere and Tiburon are illogical. If the City of Tiburon will agree, the line that cuts through the Boardwalk shopping center should be changed to include the entire center in Belvedere. Also the properties on the south side of Beach Road between Tiburon Boulevard and Main Street to a depth of 150 feet (the service station and Post Office sites) should be in the City of Belvedere. The rear property line would make a more logical boundary than the street (Beach Road).

The Corinthian Yacht Clubhouse is in Belvedere, but the berths and parking area are almost entirely in Tiburon. It would make sense to transfer the entire Club property to Tiburon.

ORDINANCE REVISIONS

In addition to the substantive changes in present development regulations recommended above, the following procedural revisions are needed.

Zoning Ordinance

Zoning Districts. Zoning districts should be reorganized as follows:

R	Recreation District
R-15	Single Family Residential District, 15,000 square feet minimum site area
R-1	Single Family Residential District, 7,500 square feet minimum site area
RM-2	Duplex District
RM-3	Multiple Dwelling District
RM-3C	Multiple Dwelling District, Cove Water Lots
C-1	Commercial District

The R District should continue to cover properties now zoned in this category plus the open water properties off the West Shore and on Beach Road now zoned R-1 and R-2 (see Open Space and View Protection). No change should be made in the present R-15 Zone boundaries. The RM-2 District should consist of the present R-2 (d) (i) and R-2 (d) (v) Zones except for the north portion of the latter (approximately 250 feet) which is occupied by single family residences and should be zoned R-1. The RM-3 District should consist of the present R-2 (d) (ii), R-2 (d) (iv), and R-3 Zones. The RM-3C District should consist of the present R-2 (d) (iii) Zone minus the open water lot at Beach Road and Main Street and the 130 foot wide portion of the lot on Beach opposite Peninsula Road which are recommended to be added to the R District. The C-1 District boundaries should remain unchanged except to include the portion of the Boardwalk shopping center and the properties across Beach Road which are now in Tiburon, assuming the transfer can be arranged.

Conditional Uses. The following should be conditional uses, requiring a use permit, in all districts: public buildings, parks, and playgrounds; public utilities and services. Churches and clubs also should be conditional uses in the R, RM-3, and C-1 Districts and should not be permitted in other districts. Off-site parking facilities and rental offices ancillary to multiple dwellings should be conditional uses in the RM-3 and C-1 Districts only and should not be permitted elsewhere.

In the present R-3 Zone, professional offices are a permitted use. They should be a conditional use in the new RM-3 District and should be prohibited in the other RM districts. Multiple dwellings should be a conditional use in the C-1 District, as at present, and RM-3 District regulations should apply to them.

Non-residential uses in residential and multiple dwelling districts should be governed by the same regulations controlling coverage, setbacks, distances between buildings, and height as apply to residential uses in the same district.

Off-street Parking. In addition to the present off-street parking requirements (2 spaces per single family residence or duplex unit, 1.25 spaces per apartment

unit, 2 spaces per boat berth), offices and retail stores should be required to provide 1 space per 300 square feet of gross floor area. Other non-residential uses should be required to provide off-street parking spaces as prescribed by the City Council upon recommendation of the Planning Commission.

Required parking that serves a residence, duplex, or apartment should be located in a garage or covered carport. Parking serving a non-residential use may be permitted to be in an open parking lot, provided that it is adequately landscaped. In the RM-2, RM-3, RM-3C, and C-1 districts, required parking spaces need not be on the same site as a non-residential use, but they must be located within 500 feet. Parking serving duplexes and apartments should be required to be located within 300 feet of the unit served.

Signs. Present sign regulations are generally adequate, but the following size limitations should be imposed in each district.

R District: 4 square feet per site.

R-15 and R-1 Districts: 1 square foot per site plus one for sale, lease, or rent sign not exceeding 4 square feet.

RM-2, RM-3, and RM-3C Districts: 4 square feet per site plus one for sale, lease, or rent sign not exceeding 4 square feet.

C-1 District: 1 square foot per 2 linear feet of building wall facing a street, parking lot, or court open to the public, or 50 square feet per business establishment, whichever is less.

Setback Lines: Necessary changes from present regulations are prescribed under Open Space and View Protection.

Non-conforming Uses. Present regulations should be clarified to distinguish a non-conforming use from a non-conforming structure. A non-conforming use should be defined as a use of a building or land which was lawfully established but now does not conform with the use regulations of the zoning district in which it is located. A non-conforming structure should be defined as a structure which was lawfully constructed but now does not conform with the coverage, setbacks, distances between buildings, or height regulations of the district in which it is located. Failure to comply with present density (lot area per dwelling unit) regulations or useable open space or off-street parking requirements does not make a use or a structure non-conforming. The non-conforming use regulations (Section 24-25) of the present Zoning Ordinance should apply only to non-conforming uses (not non-conforming structures).

Special Permits. No change in the present procedure is recommended.

Variances. At present the Zoning Ordinance authorizes the granting of variances to use and occupancy regulations and (apparently) to Building Code requirements. This provision (Section 24-17) is a perversion of the proper legal use of variances which is to permit exceptions only to zoning regulations where unusual physical hardship is involved and no significant adverse consequences to the neighbors or the community would result. The variance procedure should not be used to grant exceptions to regulations based on other considerations. Use variances have consistently been struck down by the courts. Consequently the ordinance should be revised to permit the granting of variances only with respect to lot area, lot area per dwelling unit, useable open space, coverage, setbacks, distances between buildings, and height regulations.

Certificates of Occupancy: No change in the present procedure is recommended.

Building Permits. No change in the present procedure is recommended.

Subdivision Ordinance

Only a few changes in the present subdivision regulations are needed, but the subjects covered are of some importance.

Section 20-18 of the Subdivision Ordinance authorizes septic tanks where there is no sewage disposal system or connection to an existing system is impossible. This provision is obsolete and should be repealed. Septic tanks should not be permitted in any instance.

The ordinance provides that preliminary subdivision plans may be submitted but does not require them. Belvedere's few remaining parcels large enough to be subdivided mainly are steep, wooded (or landscaped) sites with existing buildings. These properties are so sensitive that a poorly conceived subdivision pattern could be ruinous. Requiring submission of a preliminary map will give the Planning Commission an opportunity to review subdivision plans before they are firm and before the owner has incurred the greater engineering expenses incidental to preparation of a tentative map. Approval of a preliminary map by the Planning Commission should be required both for subdivisions and minor subdivisions (2, 3 or 4 lots).

Because earth moving and tree removal have a major impact on island sites, a grading plan should be required to be submitted with a tentative subdivision map. The plan should show trees proposed to be removed and those to remain, as well as grading. This requirement should apply both to subdivisions and minor subdivisions.

Building Regulations

Our review of the Building Code, Electrical Code, and Plumbing Code was, of course, confined to the scope of this study. From this point of view, we find no need for revisions.